

111TH CONGRESS
1ST SESSION

H. R. 1375

To ensure that sex offenders and sexually violent predators are not eligible for parole.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2009

Mr. CHANDLER (for himself and Mr. POE of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To ensure that sex offenders and sexually violent predators are not eligible for parole.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Parole for Sex Of-
5 fenders Act”.

6 **SEC. 2. REDUCTION OF GRANT AMOUNTS.**

7 (a) IN GENERAL.—For each fiscal year after the ex-
8 piration of the period specified in subsection (b)(1) in
9 which a State receives funds for a program referred to

1 in subsection (b)(2), the State shall have in effect through-
2 out the State laws and policies that prohibit parole for—

3 (1) any individual convicted of a criminal of-
4 fense against a victim who is a minor; and

5 (2) any sexually violent predator.

6 (b) COMPLIANCE AND INELIGIBILITY.—

7 (1) COMPLIANCE DATE.—Each State shall have
8 not more than 3 years from the date of enactment
9 of this Act in which to fully implement this Act, ex-
10 cept that the Attorney General may grant an addi-
11 tional 2 years to a State that is making good faith
12 efforts to implement this Act.

13 (2) INELIGIBILITY FOR FUNDS.—For any fiscal
14 year after the expiration of the period specified in
15 paragraph (1), a State that fails to fully implement
16 this Act shall not receive 10 percent of the funds
17 that would otherwise be allocated for that fiscal year
18 to the State under subpart 1 of part E of title I of
19 the Omnibus Crime Control and Safe Streets Act of
20 1968 (42 U.S.C. 3750 et seq.), whether character-
21 ized as the Edward Byrne Memorial Justice Assist-
22 ance Grant Program, the Edward Byrne Memorial
23 State and Local Law Enforcement Assistance Pro-
24 grams, the Local Government Law Enforcement
25 Block Grants Program, or otherwise.

1 (c) REALLOCATION.—Amounts not allocated under a
2 program referred to in subsection (b)(2) to a State for
3 failure to fully implement this Act shall be reallocated
4 under that program to States that have not failed to fully
5 implement this Act.

6 **SEC. 3. DEFINITIONS.**

7 For the purposes of this Act:

8 (1) CRIMINAL OFFENSE AGAINST A VICTIM WHO
9 IS A MINOR.—(A) The term “criminal offense
10 against a victim who is a minor” means any criminal
11 offense in a range of offenses specified by State law
12 which is comparable to or which exceeds the fol-
13 lowing range of offenses:

14 (i) kidnapping of a minor, except by a
15 parent;

16 (ii) false imprisonment of a minor, ex-
17 cept by a parent;

18 (iii) criminal sexual conduct toward a
19 minor;

20 (iv) solicitation of a minor to engage
21 in sexual conduct;

22 (v) use of a minor in a sexual per-
23 formance;

24 (vi) solicitation of a minor to practice
25 prostitution;

1 (vii) any conduct that by its nature is
2 a sexual offense against a minor;

3 (viii) production or distribution of
4 child pornography, as described in section
5 2251, 2252, or 2252A of title 18, United
6 States Code; or

7 (ix) an attempt to commit an offense
8 described in any of clauses (i) through
9 (viii), if the State—

10 (I) makes such an attempt a
11 criminal offense; and

12 (II) chooses to include such an
13 offense in those which are criminal of-
14 fenses against a victim who is a minor
15 for the purposes of this section.

16 (B) For purposes of paragraph (1), conduct
17 which is criminal only because of the age of the vic-
18 tim shall not be considered a criminal offense if the
19 perpetrator is 18 years of age or younger.

20 (2) SEXUALLY VIOLENT PREDATOR.—The term
21 “sexually violent predator” means a person who has
22 been convicted of a sexually violent offense and who
23 suffers from a mental abnormality or personality

- 1 disorder that makes the person likely to engage in
- 2 predatory sexually violent offenses.

